

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10745 of 2021

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1. Ram Lochan Yadav Son of Late Laldhari Yadav, resident of Ward No. 6 Behta, (Shreepur), Narotimpur, Kanhauli, P.S. - Manigachhi, District - Darbhanga.
 2. Gulab Son of Navi Hasan, resident of Sakri, P.S. - Sakri, District - Madhubani.
 3. Rajendra Yadav, Son of Late Asharfi Yadav, resident of Village- Narpati Nagar, P.O. - Narpati Nagar, P.S.- Sakri, District - Madhubani.
 4. Ram Bahadur Rai Son of Late Yadu Rai, resident of Village - Behta, P.O. and P.S. Kanhauli, District - Darbhanga.
 5. Pawan Kumar Mishra, Son of Late Ram Chanddra Mishra, resident of Village and P.O. - Sagarpur, P.S.- Pandaul, District - Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Principal Secretary, Labour Resources Department, Government of Bihar, Patna.
3. The Assistant Labour Commissioner, Darbhanga.
4. The Managing Director, Bihar State Sugar Corporation Limited, Patna.
5. The General Manager, Sakri Sugar Mill, Unit Sakri, District - Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dharendra Kumar Jha, Advocate
For the State	:	Mr. Ravi Ranjan, AC to SC-22
For the Respondent/s	:	Mr. Gayan Shankar, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 13-12-2022 Heard Mr. Dharendra Kumar Jha, learned counsel for the petitioner, Mr. Ravi Ranjan, learned AC to SC-22 and Mr. Gayan Shanker, learned counsel for the Bihar State Sugar Corporation.

By filing the present writ application, the petitioners are seeking the following reliefs;-



- (i) For directing the Respondent authorities to make payment of arrears of Post Retiral dues including pension since their respective dates of retirement i.e since March 2009 with interest and cost.*
- (ii) For also directing the respondent authorities to make payment of Gratuity from 1997 to 2009*
- (iii) For also directing the Respondents to pay the arrears of salary for the period October 2008 to March 2009.*
- (iv) For also directing the Respondent authorities to calculate salary at the rate of 30 days per month instead of 26 days per month what they have calculated in making payment of salary and consequently direct them to pay the remaining arrears of salary.*

It is submitted that the petitioners are employees of Sakri Sugar Mill, Madhubani which was a unit of Bihar State Sugar Corporation Ltd, Sugar Cane Industries Department, Government of Bihar. He submits that all the petitioners



worked in Sakri Sugar Mill, Madhubani from January 1997 to March 2009 thereafter, they were removed under exit Settlement Plan of the Bihar State Sugar Corporation Ltd, Patna.

At the outset, Mr. Gayan Shankar learned counsel appearing on behalf of Sugar Corporation submits that from bare perusal of Annexure-3 of the writ application, it appears that all the admissible benefit under the Exit Settlement Plan has been conferred upon the petitioners. However, in response to the statement made on behalf of the respondent, Sugar Corporation, the learned counsel for the petitioners submits that two of the similarly, situated persons have been allowed certain other benefits, which have not been allowed to the petitioners and for the said purposes, he had filed representation before the authorities concerned but the same has not been considered and disposed of till date.

In view of the submissions, made on behalf of the parties and considering the nature of grievance, the writ petition stands disposed of with a direction to the petitioners to file representation before the respondent no. 4, preferably, within a period of four weeks from today. If such a representation is filed by the petitioners, the respondent no. 4



shall consider the same and disposed of by a reasoned and speaking order preferably, within a period of eight weeks thereafter.

It is needless to say that if, the claim of any of the petitioners find favour, the necessary order would be passed granting similar benefit as has been granted to other similarly situated persons.

Accordingly, the present writ petition stands disposed of.

(Harish Kumar, J)

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